

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No 433 of 1980

with

SECOND APPEAL No 342 of 1981

Date of decision: 25-6-98

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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PATEL PARSHOTTAM MOTIBHAI

Versus

PATEL CHHOTABHAI JIVABHAI  
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Appearance:

1. Second Appeal No. 433 of 1980  
MR DEEPAK PATEL for Petitioner  
MR MC SHAH for Respondent No. 1

2. Second Appeal No 342 of 1981  
MR MC SHAH for Petitioner  
MR DEEPAK PATEL for Respondent No. 1

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CORAM : MR.JUSTICE S.K.KESHOTE  
Date of decision: 25/06/98

ORAL JUDGEMENT

Both these second appeals have arisen from one and same judgment and decree of the courts below.

2. Learned counsel for the parties are in agreement that Patel Purshottam Motibhai has expired on 10th January, 1994. In Second Appeal No.433 of 1980 Patel Purshottam Motibhai is the appellant and his heirs and legal representatives have not been brought on record within the period of limitation of 90 days. Hence this second appeal abates. In the result second appeal No. 433 of 1980 is dismissed as having been abated. Interim relief, if any, granted earlier stands vacated.

3. In Second Appeal No.342 of 1980 Patel Purshottam Motibhai is the respondents. His heirs and legal representatives have not been brought on record within the period of limitation of 90 days. Therefore this appeal also abates, and the same is accordingly dismissed. Interim relief, if any granted earlier stands vacated.

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